REMARKS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the above amendments and following remarks.

I.   STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-19 were previously canceled. Claims 20-68 are currently pending and were rejected.

II.   OBJECTIONS TO THE SPECIFICATION

The specification was objected to for allegedly failing to provide proper antecedent basis for the claimed subject matter of claim 68. More specifically, the Office Action alleges that the specification does not provide support or antecedent basis for the computer usable "medium" recited in claim 68 so as to allow the meaning of this term to be ascertained.

Applicant respectfully disagrees and submits that the specification clearly provides support for this term of claim 68 so that its meaning is ascertainable by those of skilled in the art. For example, Applicant directs the Examiner to ¶ [0031] of the specification which discloses that, in an embodiment, "the system operates in the World Wide Web environment on the Internet or using the same protocols on a dedicated Intranet . . . clients interact with the invention and its server over the Web . . . [and] [u]sers can access the system from anywhere at any time of day, night, or time zone, given a device with a standard browser and a connection to the Internet." As a further example, Applicant also directs the examiners attention to ¶ [0157] which discloses that in an embodiment "the user interface operates over the Internet to connect users to

a system server" and "libraries, archive, and programs used in the system are stored on an Internet server."

Applicant respectfully submits that one skilled in the art would understand, in view of the specification as a whole and specifically in view of at least paragraphs [0031] and [0157], (i) that such embodiments would necessarily include "a computer usable medium having computer readable code embodied therein" as claimed in claim 68, and (ii) what types of media may be employed so as to be "computer usable" and have "computer readable code embodied therein." In other words, Applicant respectfully submits (i) that the specification as a whole and at least paragraphs [0031] and [0157] reasonably conveys to one skilled in the art that various embodiments of Applicant's claimed invention include a computer usable "medium" having computer readable code embodied therein, and (ii) that the scope and meaning of such a "medium" is reasonably ascertainable to those skilled in the art in view of the specification as a whole and at least paragraphs [0031] and [0157].

Accordingly, it is submitted that the objections to the specification are overcome and respectfully requested that the objections be withdrawn.

III. OBJECTIONS TO THE CLAIMS

Claims 30, 33-36, 38-39, 46, 54, 57-59, and 62-67 were objected to because of informalities. Claims 30, 33-36, 38-39, 46, 54, 57-59, and 62-67 have been amended based on the Examiner's suggestion of replacing "including" with "further comprising" language.

Accordingly, it is submitted that the objections to the claims are overcome and respectfully requested that the objections be withdrawn.

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IV.   THE REJECTIONS UNDER 35 U.S.C. § 101

Claims 20-43 were rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claim 20 is amended herein to more clearly recite statutory subject matter. In view of this amendment, Applicant respectfully submits that the § 101 rejections have been obviated and rendered moot and should thus be withdrawn.

V.   THE REJECTIONS UNDER 35 U.S.C. § 103

Reulein

Claims 20-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. App. No. 2004/0205656A1 to Reulein et al. (hereinafter "Reulein") in view of U.S. Pat. App. No. 2009/0089657A1 to Davis (hereinafter "Davis").

As an initial matter, Applicant respectfully submits that Reulein does not qualify as prior art under 35 U.S.C. 102(a) or (b). Although Reulein may qualify as prior art under 35 U.S.C. 102(e) insofar as the filing date of Reulein is prior to the filing date of the instant application, Applicant does not admit that Reulein was filed before the invention date of the instant application.

As recited in independent claim 20, the instant invention is directed to *inter alia*:

> "An automated document publishing system implemented by at least one computer, said system comprising ...
>
> a document type store stored on said at least one computer and containing a plurality of document types, each document type identifying a document structure definition for use in the construction of a virtual document edition, each document structure definition comprising a hierarchy of element definitions ...

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a content library store stored on said at least one computer and containing a library of content components, **each component being capable of use in a plurality of documents <u>by reference</u>**;

an element store stored on said at least one computer and containing a plurality of elements for use in the construction of a <u>**virtual**</u> document edition, **each said element being defined by a said element definition and identifying a said component <u>by reference</u>**;

a document manager configured for execution by said at least one computer for using a selected said document type, said business data, and said elements to form a document structure for a <u>**virtual**</u> document edition to identify a plurality of said elements, each said element identifying a said component **<u>by reference</u>** and/or at least one other said element ...." (Emphasis added).

As understood by Applicants, Reulein simply discloses a data structure and method of automatically creating a plurality of individually customized documents based on document components and rules governing document assembly. In other words, Reulein discloses *copying* document components into individually customized documents. Applicants do not make a claim limited only to the simple concept of creating customized documents based on individual document components *copied* into customized documents. Such a configuration presents a significant drawback to the user, in that multiple copies of embedded document components may be required, as discussed in more detail below.

Instead, as disclosed in the specification and specifically in at least paragraph [0067], an embodiment of the present invention "assembles and generates *virtual* editions of documents rather than a serial document file with embedded content." Reulein does not teach or suggest *virtual* editions of documents, i.e., documents with non-embedded content.

In other words, Reulein does not teach or suggest the claimed elements of amended claim 20 such as 1.) a content library store stored on said at least one computer and containing a library of content components (which may have properties), each component being capable of use in a plurality of documents <u>by reference</u>, 2.) an element store stored on said at least one computer and containing a plurality of elements for use in the construction of a <u>virtual</u> document edition, each said element being defined by a said element definition and identifying a said component <u>by reference</u>, or 3.) a document manager configured for execution by said at least one computer for using a selected said document type, said business data, and said elements to form a document structure for a <u>virtual</u> document edition.

Support for these minor amendments to claim 20 can be found throughout the specification of the present invention.

Paragraph [0005] of the specification teaches that "The challenge posed to the inventors was to develop a mechanism that effectively incorporated shared elements without embedding them in a streaming document. The invention's use of XML solved the problem of enforcing structure and describing content, and a further separation--of structure from content--was realized by using XML elements to point to content without containing it. The result is a virtual document."

Paragraph [0069] of the specification teaches that "text and other components of the entire document set are broken into small, discrete constituents of a Publication Set .... every head, subhead, paragraph, table cell, footnote, list item, et al., is identified as a content component with its own unique ID and can be *referenced* by document elements."

Paragraph [0071] of the specification further teaches that an "edition of a publication exists only in a *virtual* sense as a list of its elements." In other words, the "elements each *point* at a component ID, rather than containing the content directly."

Paragraph [0080] then teaches that a system according to an embodiment of the present invention "does not store documents as text streams but as *pointers* to elements in the structured document outline … [t]he elements in turn point to specific components." Paragraph [0022] summarizes that, since an embodiment of the invention creates virtual documents by using pointers to structural elements that in turn point to content, documents of different structural types may share the same content simultaneously.

In stark contrast to the teachings of Reulein, the virtual architecture/organization based on referencing/pointing to components (as opposed to copying components, as taught in Reulein) "facilitates non-repetitive storage and, most importantly, can accomplish automatic updating of every publication that points to a revised component through its elements." The Applicant's component content library thus exists in a continuous real-time state rather than the interrupted state of the Reulein XML Repository when components are copied, locked from other users, and must be checked back into the content store in a revised version. Applicant submits that the significance of this feature is that it allows a virtual document to comprise references (or pointers) to sharable components in a library, therefore enabling the instant updating of all relevant documents comprising the references (or pointers) and allowing for true, real-time collaborative editing and version control.

Davis

Davis, which relates simply to reusable data markup language, fails to cure the defects of Reulein. Applicants further note that the present invention does not require the use of any

particular markup language, and that the virtual document of the present invention exists outside

the confines of any particular markup language.

For at least the foregoing reasons, Applicants submit that independent claim 20 is

patentable over the relied upon portions of Reulein and Davis. For the same, or similar reasons,

independent claims 44 and 68 are patentable over the relied upon portions of Reulein and Davis.

VI.   DEPENDENT CLAIMS

The other claims in this application are each dependent on an independent claim

discussed above, and are therefore believed patentable for at least the same reasons. Since each

dependent claim is also deemed to define an additional aspect of the invention, however, the

individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In view of the foregoing, it is believed that all of the claims in this application are

patentable over the prior art, and an early and favorable consideration thereof is solicited.

Statements appearing above with respect to the disclosures in the cited references

represent the present opinions of the Applicants' undersigned attorney and, in the event that the

Examiner disagrees with any such opinions, it is respectfully requested that the Examiner

specifically indicate those portions of the respective reference providing the basis for a contrary

view.

Please charge any fees incurred by reason of this response and not paid herewith to

Deposit Account No. 50-0320.

                                        Respectfully submitted,
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